

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, OCTOBER 9, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, October 9, 2014, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

Third Presiding Officer:	Kling
Councilpersons:	Culver, Olshefski
Councilpersons Absent:	Russell, Showers
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

Third Presiding Officer Kling called the meeting to order. He stated that he was the Third Presiding Officer of the Council and would be filling in for President Russell, who was out of town, as well as President Pro Tem Showers, who was also out of town.

Pastor T.C. Johnson, St. Luke Missionary Baptist Church, led the invocation.

Councilman Olshefski led the pledge of allegiance.

Third Presiding Officer Kling stated that the next item on the agenda was Approval of Minutes.

The minutes of the Regular Meeting of the Council on September 25, 2014, were approved as submitted.

Third Presiding Officer Kling stated that the next item on the agenda was Resolutions and Special Recognitions.

Third Presiding Officer Kling recognized Mayor Battle.

Mayor Battle asked Ms. Sara Crocker of the City of Huntsville Human Relations Commission to come forward, stating that they would be recognizing the Star 99.1/CAFY Young Citizen of the Month.

Ms. Crocker came forward, along with several other persons. She stated that it was her pleasure at this time to present the Young Citizen of the Month award to Emily Lapidus. She stated that Emily was at school at the University of Alabama, and that her father, Mike Lapidus, would be accepting her award and honors.

Ms. Crocker stated that Emily had been selected to receive this award while she was still in high school.

Ms. Crocker stated that she hoped everyone was aware of the Star 99.1/CAFY Young Citizen program and would let everybody know about this. She continued that it was a wonderful thing to be nominated for this award, as well as being awarded the award.

Ms. Crocker stated that the reason Emily had been nominated for this award was because she greeted everyone she met with a huge smile and a friendly greeting, that she put everyone at ease and that she was helpful, patient, generous, and was always encouraging her peers to do their best. She stated that Emily had participated in forming the

B'Nai Brit Youth organization in Huntsville, which she noted had required extensive traveling and learning. She stated that she had also participated in many clubs and activities at Huntsville High School and had also helped at Manna House, Boys & Girls Club, the National Children's Advocacy Center, and Camp Barney. She stated that she was a physical trainer for the Huntsville High School football team, taking outside classes in physical training while a student at Huntsville High School. She stated that she also worked the concession stand at the VBC during hockey season.

Ms. Crocker stated that Emily had first signed up to participate as a volunteer when she was in the 3rd grade, that she had awarded the prizes at different fundraisers rather than trying to win them.

Ms. Crocker stated that Emily had that special courage to call on others to help her when a group needed more hands, and that when she asked, everyone showed up.

Ms. Crocker stated that some of Emily's awards were that she was the Rocket City B'Nai Brit Youth organization president in 2014, and that she was a Huntsville High School class officer for four years. She stated that Emily had gotten a scholarship to the University of Alabama.

Ms. Crocker stated that they were very proud to crown Emily Lapidus their Young Citizen of the Month.

Ms. Crocker presented a certificate to Mr. Lapidus, recognizing Emily as the Star 99.1/CAFY Young Citizen of the

Month.

Mayor Battle presented a coin from the City to Mr. Lapidus, for Emily. He stated that the City made it a point to congratulate persons who had done great things for the city and had had a great presence in the city. He stated that they certainly wanted to thank Emily for that.

Mr. Lapidus expressed appreciation for the recognition of Emily.

Mayor Battle asked Chief Howard McFarlen of Huntsville Fire & Rescue to come forward. He stated that the month of October was Fire Prevention Month, and that he had a resolution to present concerning this. He stated that they were naming October "Fire Prevention Month" for the City of Huntsville. He stated that there were some special things to do in connection with this and recognized Chief McFarlen for a presentation concerning this.

Chief McFarlen expressed appreciation for the recognition of Fire Prevention Month. He stated that Huntsville was a fire safe city, and they wanted to keep it that way, and they wanted this to be the week to start this month and for it to also be a fire safe year.

Chief McFarlen stated that he had asked Fire Marshal Dan Wilkerson to explain some plans that would help in this regard.

Fire Marshal Wilkerson thanked the Mayor and the Council for their support, noting that without them they could not do

the job they did in the city.

Fire Marshal Wilkerson stated that early in the year, the State Fire Marshal had recognized that the State of Alabama had a record number of fatalities, just going into the third month of the year. He stated that the State Fire Marshal had then gotten together with the Alabama Fire Chiefs, and they had created a statewide program called "Turn Your Attention to Fire Prevention."

Fire Marshal Wilkerson stated that they were in support of this program and were trying to get the message out not only statewide but to the citizens in Huntsville. He stated that many times when persons saw a fire injury or fatality on the news, it brought a lot of attention to the fires in the city. He continued that they would like to get ahead of this and bring attention to fire prevention, to try to avoid some of these situations. He stated that over the prior five years, they had averaged three fire fatalities per year, but that as of this date, there had been only one. He stated that hopefully they could keep this figure to one by the end of the year, as well as continuing into the following year.

Fire Marshal Wilkerson stated that one of the things he wanted to speak about, and what they were really trying to educate persons about during Fire Prevention Month, was for persons to make sure they had a working smoke detector in their homes. He continued that even if a detector worked when one tested it, if it was 15 years old, it needed to be replaced.

He stated that the sensors in these devices lost sensitivity over time and should be replaced every 15 years.

Fire Marshal Wilkerson stated that persons should also be sure of having an escape plan. He stated that many persons did not realize that in a fire, one breathed carbon monoxide, and it was easy to become disoriented. He stated that persons would be familiar with their homes, but once they were under the effects of carbon monoxide, they would become confused, so that if persons did not practice their escape plan, it would be harder to be able to escape during a fire.

Fire Marshal Wilkerson stated that the leading cause of fires throughout the country, and also in Huntsville, was cooking fires. He stated that any time one was cooking with grease, to always stay where it could be watched. He stated that persons did not realize that grease turned into a flammable vapor and could ignite just by the heat of the pan.

Fire Marshal Wilkerson stated that with the weather about to become colder, persons would be using space heaters. He continued that they did not like it when persons used space heaters, but they realized some persons had to use them. He asked that everyone be sure to follow the manufacturer's recommendations when space heaters were being used, and to use them carefully.

Fire Marshal Wilkerson thanked the Mayor and the Council for recognizing this month as Fire Prevention Month.

Councilman Culver read and introduced a resolution

congratulating Alabama Agricultural and Mechanical University (AAMU) upon their 23rd Athletic Hall of Fame Induction Ceremony and Banquet, to be held at the Ernest Knight Reception Center, AAMU, on October 10, 2014, at 7 p.m., as follows:

(RESOLUTION NO. 14-753)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski

Third Presiding Officer Kling called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Third Presiding Officer Kling stated that items 15.a, 15.cc, and 16.a.1 had been deleted from the agenda.

Third Presiding Officer Kling stated that the next item on the agenda was Public Hearings to be Set.

Councilman Culver read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the south side of Taylor Road and south of Terry Drake Road from Residence 2 District and Residence 2-B District to Residence 2-A District, at the November 20, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-754)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

Third Presiding Officer Kling called for the vote on the

above resolution, and it was unanimously adopted by the Council members present.

Councilman Culver read and introduced Ordinance No. 14-755, rezoning property lying on the south side of Taylor Road and south of Terry Drake Road from Residence 2 District and Residence 2-B District to Residence 2-A District.

Councilman Culver read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the north side of Governors Drive and on the south side of St. Clair Avenue from Medical District to General Business C-3 District, at the November 20, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-756)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

Third Presiding Officer Kling called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Culver read and introduced Ordinance No. 14-757, rezoning property lying on the north side of Governors Drive and on the south side of St. Clair Avenue from Medical District to General Business C-3 District.

Third Presiding Officer Kling stated that the next item on the agenda was Communications from the Public. He stated that persons would have three minutes to address the Council.

Mr. Chris Horn, 3305 Bartee Lane, appeared before the Council, stating that he wished to speak concerning a couple of matters. He stated that he was a Little League football coach in Northern football, that he had 9- and 10-year-olds. He invited persons to attend their games on Tuesdays and Thursdays. He stated that he would like to get some input from his Councilperson, but since he was not present, perhaps he could speak to Mr. Hamilton about how they might be able to get more support on their football field. He stated that they were having a real problem with sharing this field with lacrosse, that that sport was tearing up the field, in the middle of the field. He stated that they had been promised that this field would not be used for this sport this year, but that all of a sudden, they were going through the same thing they had experienced previously. He stated that, also, the congestion at the field was a hazard because there was a lot of parking there, as well.

Mr. Horn stated that he would like to establish better communication between their board of directors and the City in regard to how they could improve this situation.

Mr. Horn stated that he also had another issue which he would have liked to have been able to address to Councilman Showers. He stated that they had an issue in the neighborhood that was very, very specific, being crime. He stated that on the previous day, someone had been raped at a washermat in the middle of the day. He stated that the

residents in his area certainly wanted to be able to work with Mr. Hamilton, the Police Chief, and anyone else who would listen, concerning how they could begin to look at their community from the perspective of beating down this crime issue.

Mr. Horn stated that another issue was in regard to getting better communication as related to the School Board. He stated that there was a lot of momentum going at this time, that the community was starting to mobilize and discuss where they were putting their tax dollars. He stated that he had stated previously that if they did not get more communication, or better communication, or allow communication, that citizens would start spending their dollars outside the community until there was a response. He stated that this would result in an economic impact on the City's treasury. He continued that he would explain specifically what he was speaking of in this regard.

Mr. Horn stated that the Council allowed persons to speak, that they had three minutes, and that they got this three minutes clearly. He stated that, however, citizens had learned at the School Board meeting the prior week that they had made the decision that if persons did not live in the city of Huntsville, they could not even take the microphone and speak. He stated that he had found this to be a little bit of "silencing dissent." He stated that the Board had stated they had done this because of the time element.

Mr. Horn stated that he would like for the City Attorney, or someone, to have a conversation with the School Board persons as to why persons who might live outside the city would not be allowed to speak. He stated that he believed this was something that should be discussed. He stated that they had had discussions previously about persons who were spending their tax dollars in the city, and that Mayor Battle, when he was discussing expanding the roads, had stated how important it was to expand them to the county because there were persons going back and forth, working in the city. He stated that there were a lot of persons who worked in the city and put money in the City treasury for the schools, and then these persons were being told they could not speak at School Board meetings. He stated that perhaps this would be outside the Council's purview, but he would like for them to ask this question.

Mr. Casey Brown, 199 Mimi Lane, appeared before the Council, stating that he had told himself after the last time he had appeared before the Council that he was never going to come back, because, obviously, his words had just hit a brick wall.

Mr. Brown stated that David Blair had made a statement about persons in Northwest Huntsville, stating that they were just "rock throwers with no solutions." He stated that the people in Northwest Huntsville had been shut out of every major conversation with the School Board, that, in fact, everyone had

been shut out of every major conversation with the School Board. He continued that any major decision they had made had been behind closed doors. He continued that any time anyone asked for accountability from them, all they got was hearsay.

Mr. Brown stated that they had stated, concerning the decision to shut down Johnson and the name change, that a citizens group had come to them. He stated that they had asked them where the minutes were for this meeting, and they had been advised that they did not have any minutes. He continued that they had also stated that the Johnson family wanted the name of the school retired. He stated that he had talked to every one of them, and that that was a lie. He stated that they had also said that the NSA had called and said they should start monitoring the students, and they had thrown \$2 million at that. He asked where the minutes were from that meeting. He stated that this was not done in public and asked who had authorized it.

Mr. Brown stated that his group had gone to a Board meeting, after the Board had violated their own naming policy and changed the school name, and the Board had had the seats full before his group arrived. He stated that he had talked about this at the Council meeting he had spoken before earlier, and he had received the longest non-answer in history.

Mr. Brown stated that it was becoming very, very apparent that some people were not considered citizens in the city. He

stated that he was born at Huntsville Hospital, that he had gone to Calvary Hill, Highlands, Ed White, and Johnson. He stated that names like J.O. Johnson, S.R. Butler, and Milton Frank meant something to him, that he was from Huntsville, and that this was part of his heritage.

Mr. Brown stated that a whole section of the city was being shut out. He continued that nothing was more painful than to be dismissed, and that to be dismissive to someone was the ultimate disrespect. He stated that they had had a church full of 2,000 people speak to Mayor Battle and the School Board, and they had prayed to be acknowledged, but they were ignored. He continued that they had also had 500 people in the streets, marching to be heard, and that they were ignored. He stated that they had had 1700 names on a petition, and that this was ignored. He questioned if then they were calling persons "rock throwers." He stated that this was a sheer sign of arrogance and ignorance from David Blair.

Mr. Brown stated that, furthermore, Mr. Blair had tipped off their whole plan when he had said that the first he had heard of changing the school name was from a plan from Mr. J.R. Brooks and Superintendent Wardynski himself.

Mr. Brown asked who was pulling the strings here if the citizens had no say. He stated that when the citizens' ability to shape their own community was removed, that in itself was a crime.

Mr. Brown stated that he was not interested in a response

because he did not respect anything they had to say.

Ms. Eddgra Fallin, 203 Hawks Crest Circle, Madison, Alabama, appeared before the Council, stating that although she had a Madison address, she was in that part that was annexed into Huntsville and that she was actually a constituent of Councilman Culver. She stated that she believed they had made the rule at the School Board for her, also, but they were not aware that she actually lived in Huntsville.

Ms. Fallin stated that she was appearing before the Council at this time concerning the fact that the School System had purchased land and was locating a school on property that was located less than one-half mile from an active rock quarry. She stated that the City and the School Board had not done adequate testing for that facility, that they were not in compliance with EPA guidelines, that there had not been a health/risk assessment.

Ms. Fallin stated that they were just going on like they were hurting her, but they were not, because, like the Council members, none of her children would ever attend that school. She stated that in the end, she would be fine, but that the risks they were posing to future generations of Huntsville children was what they were going to have to live with. She continued that she guessed that was what they would have to live with when they prayed to God at the beginning of the Council meetings. She stated that they should think about those children, future generations. She stated that she knew

for a fact that they would not want their children to attend a school under these circumstances.

Third Presiding Officer Kling asked if Mr. Danny Shea, Director of Natural Resources, was present at the meeting.

Mr. Shea appeared at the microphone.

Third Presiding Officer Kling stated to Mr. Shea that he had heard the concerns Ms. Fallin had expressed. He stated that he did not know how familiar Mr. Shea was with this issue, but asked if there was any information he could provide at this time or if he would need to research this matter and contact Ms. Fallin at a later time.

Mr. Shea stated that he really did not understand Ms. Fallin's remark about not being in accordance with EPA guidelines.

Third Presiding Officer Kling asked Mr. Shea if he would talk with Ms. Fallin outside the Council Chambers and let her explain what her concerns were and if he would then follow up with her.

Mr. Shea stated that he would be happy to do so.

Ms. Fallin stated that she would decline to discuss the matter with Mr. Shea, stating that it would not do any good to do so. She thanked Third Presiding Officer Kling for the offer.

Mr. Reggie Hill, 3813 Sturbridge Drive, appeared before the Council, stating that he would first like to commend Mayor Battle for his "Healthy Huntsville" initiative, as well

as for his trip to Japan. He stated that these were some of the initiatives that were needed in order to be able to move forward as a people. He stated that his concern was also for the mental health stability of the city, and interaction with persons in their own neighborhood. He stated that they were able to create relationships with persons who might be overseas, but asked what they were doing in the city to make it actually One Huntsville.

Mr. Hill stated that over the past few weeks, they had watched as ideological rhetoric had forced a face-off between North and South Huntsville, whereas the individuals in the middle had kind of played in a neutral line, not necessarily moving from one issue that was relevant to making change, but, rather, sitting back and allowing the people to do their own justice.

Mr. Hill stated that they were on the brink, that they were on the verge of all-out civil war again. He stated that there had been an incident earlier in the week where someone's healthy mindset had been so deprived that they were willing to attack the Huntsville Police Department on their own grounds. He stated that this meant they had an individual who had gone so far in something dealing with their life that they were willing to take their life and put it in jeopardy as to what could happen on those premises.

Mr. Hill stated that he wanted to say something to the Multicultural Division, as well as those persons in the

Planning arena, as well as all the Councilmen representing the various communities. He stated that if they were not willing to go out and find out the mindsets of individuals, as well as to determine how these circumstances were created, they were not going to be able to form that One Huntsville. He stated that they had seen over the years, through population steering, through scrutiny through the school system, where certain communities had been isolated, whether it be economically, through the curriculum, through business development, through infrastructure, or whatever the case may be. He stated that they had seen certain areas of the community simply dwindle. He questioned why this was.

Mr. Hill stated that he could not put all the blame on the city, because they did not have enough movement with the people. He stated that he wanted all those who were watching this meeting to know that his call was for the people, that his call was for the people to reorganize, to get re-energized in the motion of moving forward. He stated that as long as they had just five, six, or seven persons gathered in front of buildings, having their rebuttal, then persons would go on with their jobs, but when there were 20-plus people, 40-plus people, 100-plus people, 1,000-plus people, then these persons might recognize that they were not coming down just to attack them, that perhaps there were actual issues.

Mr. Hill stated that this was not an antagonistic approach, that it was not to say that the people were showing

hatred toward them, but it was to say that they were not being recognized, that they were not able to express what was truly going on, that their voices were not being heard. He stated that their taxpaying money was the same as anyone else's in any other part of the city.

Mr. Hill stated that a lot of the reasons why things happened was because of ignorance. He continued that ignorance was not stupidity, and that they should not get that confused, that it meant that persons just did not know. He stated that people on the south side may not understand what it was on the north side, simply because they just did not know. He stated that if they were willing to go to the table, that was something they expected from their representatives. He continued that he was willing to go to the table.

Mr. Hill stated that the following week he would be sending information on how they could do community outreach. He asked that they bridge the gap, rather than continuously fighting and bickering among themselves, to see what they could really do to make this One Huntsville.

Mr. Isaiah Ashe, 1617 Brook Hollow Circle, appeared before the Council, stating that he seldom appeared before the Council unless he had a very important issue on his heart.

Mr. Ashe stated that his concern at this time was as a retiree from the Health Department. He stated that he had read about the City Council and the Mayor cutting this budget by \$200,000. He stated that he had started at the

Health Department almost 40 years prior, when there were only 16 employees in the entire department. He stated that at that time they had done inspections once a month, but at this time they did these between three and six months, and they had less than what they had had 40 years prior.

Mr. Ashe stated that they needed to replace this money, noting that there were outbreaks taking place around the world, such as Ebola, and that they had increased measles cases in this country, which the Health Department had to deal with. He stated that there had also been several other outbreaks that had had to be dealt with. He reiterated that this money should be put back into public health.

Mr. Ashe stated that when he had been an inspector, they had had only three foodborne outbreaks, which thankfully they did not have at this time. He stated that since he had retired, when he had looked at the food services in Huntsville-Madison County, he saw that the potential was there. He stated that they were in for a big problem if they had some outbreaks, and that they needed to put this money back into public health. He stated that the Federal government had taken it out, and that was why they had Ebola. He stated that when money was taken out of the local Health Department, there were potential problems.

Mr. Ashe reiterated that they should put the money back, and expressed appreciation for the opportunity to speak.

Mayor Battle stated to Mr. Ashe that it was Madison County

that had taken away the \$200,000 from the Health Department.

Mr. Ashe stated that he would apologize for his comments, noting that he had believed the City was always up to par in helping the Health Department. He continued that he had gotten misinformation, that he had been advised that the City of Huntsville and the Mayor had done this. He apologized to the Council, stating that he needed to go before the Madison County Commission, noting that they had always been a problem, that they had previously cut the Health Department.

Ms. Jackie Reed, 1000-A Bob Wallace Avenue, appeared before the Council, thanking them for allowing public input.

Ms. Reed stated that she might be the one with misinformation, that she had gone to attend the Madison County Commission meeting the prior day, but they had not had a meeting, that they were all out. She stated that she was told about this \$200,000 cut, and, that also, she had learned they were going to move the Tax Assessor's office to the 5th floor and put a judge's office on the main floor. She asked that every one of them go to the County Commission meeting on October the 22nd and take them on.

Ms. Reed stated that she would like to thank whoever had cleaned up Holmes Avenue, noting that it was very nice and made her very happy.

Ms. Reed stated to Councilman Olshefski that she was going to really miss him, that he had been good to her and she appreciated it. She continued that he had not thrown her out

of her district, and she would never forget that, that it meant a lot to her.

Ms. Reed thanked Mayor Battle for recognizing the City employees, although she wished he had given them more than a one percent raise.

Ms. Reed stated that all citizens needed to know who their Councilperson was, noting that she got many complaints, and she was not in the complaint department. She stated that persons should call their Councilperson, and if they would not answer their questions and help them, then they should bring the questions back to her, and she would find out why they were not doing their job, noting that they got paid to do their job.

Ms. Reed stated that one thing that was really bothering her was the Stone Middle School matter. She stated that she had many photographs of what had gone on over there, and that it was amazing what had gone on in a short length of time. She continued that there were several days that the City was doing the job over there, and trying to hurry and get it done. She stated that she had understood that the City of Huntsville had bought four acres, and that Randy Schrimsher had bought the first five acres, with the building, and that he had already bought three acres, so she was advised by the School Board. She stated that the City then was over there tearing the building down.

Ms. Reed stated that she could not get this all straight in her mind, but she wanted to say to the taxpayers that that

was their money, their trucks, their gas, and that equipment was rented from Miller & Miller. She continued that the City was \$900,000 in the hole in overtime, according to the budget. She stated that she had been the only citizen present when the Council had discussed the budget.

Ms. Reed stated that she wanted to be furnished all the paperwork concerning Stone Middle School, as to who had paid for this. She stated that she had been told by the School Board that they did not know anything about this matter, that they were going to look into it.

Ms. Reed stated that she had a contract that said, on the front building, "Owner, City of Huntsville." She stated that she wanted to find out about this, that she did not want to have to call in Channel 48 and Channel 19 to do an investigation. She stated that she was trying to do an investigation herself, and that she wanted some answers as to why the City of Huntsville used City employees to tear down this building. She stated that there appeared to be more deals going on than this one.

Third Presiding Officer Kling stated to Ms. Reed that they would provide her the information she wanted. He stated that he would tell her, as best he could, what he knew about this matter. He stated that the agreement was between the City of Huntsville and the City School System, which was two governing bodies working together, that the City did things for them and they did things for the City. He stated that, basically, the

deal was for the City to demolish roughly 10 to 15 percent of Stone Middle School for the School System. He stated that this was why it was done, that it was an agreement between the two governing bodies.

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that first, as a veteran of the United States Army, he wished to respectfully acknowledge the three United States Army soldiers who were killed in the war in Afghanistan during the prior two weeks.

Mr. Cox stated that he wished to address his comments at this time to the distinguished Councilman from District 3, since he would not be able to attend Councilman Olshefski's last Council meeting. He stated to Councilman Olshefski that he wished to thank him for his long, distinguished service to the country, wearing the United States Army uniform. He also thanked him for his service to the citizens of the city during the prior four years.

Mr. Cox stated to Councilman Olshefski that he found it ridiculous that he felt it necessary, or someone felt it necessary, for him to abstain from voting on Huntsville Utilities items. He continued that it was even more ridiculous that the Council had to approve Huntsville Utilities items, in that there were three appointed boards overseeing Huntsville Utilities. He stated that at the Council meeting on September 11, 2014, the Council had authorized Huntsville Utilities to purchase fire-resistant clothing for

electric personnel. He asked if the Council did not trust the Electric Board that they had appointed to make that decision. He continued that Councilman Olshefski had not been able to vote on this matter, although he was most likely the only one on the Council who had any experience about fire-resistant clothing.

Mr. Cox stated that there would now be a lack of diversity of experience on the Council, that being the military. He stated that prior to Councilman Olshefski, there had been Councilwoman Moon, and that he could assure persons that she had military experience.

Mr. Cox stated to Councilman Olshefski that he appreciated the kindness and friendliness that he had at all times shown him, and that he certainly hoped their paths would continue to cross.

Councilman Olshefski thanked Mr. Cox for his remarks.

Third Presiding Officer Kling stated to Mr. Cox that he had had similar concerns about Huntsville Utilities and had asked questions about this policy, and that he had been told by the manager of Huntsville Utilities that this was something that was set out by State law, through the State Legislature. He stated that there might be some changes that would take effect in the near future that would raise the threshold, but that basically this was something that was being done in compliance with the State legislative action that was taken concerning this.

Mr. Joffrion stated that that was absolutely correct, that State law required that any expenditure made by Huntsville Utilities for commodities or purchase of personal property or equipment in excess of \$25,000 be approved by the City Council. He stated that, also, any ordinance change that affected their rates had to be approved by the City Council. He stated that otherwise the Boards would handle it.

Third Presiding Officer Kling stated that the next item on the agenda was Board Appointments to be voted on.

Councilman Olshefski read and introduced a resolution to appoint Lawrence R. Miller, Jr., to the Beautification Board, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-758)

Councilman Olshefski moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver.

Third Presiding Officer Kling called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Third Presiding Officer Kling stated that the next item on the agenda was Board Appointment Nominations.

Third Presiding Officer Kling nominated Mark Poslajko for reappointment to the Human Relations Commission of the City of Huntsville, for a term to expire September 22, 2018.

Third Presiding Officer Kling asked if there were any further nominations.

There was no response.

Third Presiding Officer Kling stated that the next item on the agenda was Approval of Expenditures.

Councilman Culver read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 14-759)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

Third Presiding Officer Kling called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Culver called on Mr. Randy Taylor, Finance Director, for the Finance Committee Report.

Mr. Taylor stated that since the Council had last met, the Fiscal Year had closed and a new one had started. He stated that he did not have much information to provide at this time, but he did have the sales tax report. He stated that they still had another month to go before they would have the final figures in for the year.

Mr. Taylor stated that the sales tax revenue for September was 1.3 percent higher than September of the prior year. He stated that they were still under their goal for the prior year, but that since it was late in the year, this had not influenced the year-to-date very much, that it had stayed at approximately 2 percent, which he noted was where it had been

at the end of August. He stated that they continued to stay at this 2 percent rate, which he noted was good because it was what they had based the current year's budget on.

Mr. Taylor reiterated that there was one more month to go on this and stated that the Council would be provided this update when they had these figures.

Third Presiding Officer Kling stated that the next item on the agenda was Communications from the Mayor. He recognized Mayor Battle.

Mayor Battle stated that he would like to make the following reappointment:

Mr. Harvey Cotton to the Tree Commission, for a two-year term, effective October 9, 2014, and to expire October 8, 2016.

Mayor Battle stated that there were several community events to occur in the following week that he would like to encourage persons to attend. He stated that the Cemetery Stroll would be held on the following Sunday at Maple Hill Cemetery, from 2 to 4:30 p.m. He stated that this was free to the public, and that there would be shuttle service from Jackson Way Baptist Church. He invited persons to come and enjoy the characters of history that had lived in Huntsville. He continued that these characters would come to life in front of them, and that they would learn a lot about the history of Huntsville. He stated that it was a great event and encouraged persons to attend.

Mayor Battle stated that The BIG Picture Citizens Academy

would be held on the following Tuesday, October 14, at the Knight Center at Alabama A&M, at 6 p.m., and that the subject would be Neighborhood Revitalization. He stated that they had sent out a number of notices concerning this and wanted to encourage persons to attend this meeting. He stated that they would be looking at how neighborhoods would be affected, how neighborhoods affected the community, and how they worked with neighborhoods to produce a better community. He stated that this would be a great conversation, and that they were looking forward to seeing citizens in attendance at this meeting.

Mayor Battle stated that Healthy Huntsville would be having their VIP walks during the month of October, noting that they had had one the previous day at Huntsville Hospital, and that the next one would be on the following Wednesday on the campus of Alabama A&M. He continued that the following week they would be at Hudson-Alpha, and the week after that would be at John Hunt Park. He stated that at that time Animal Services would bring out adoptable pets that could walk with them. He stated that this would be a good time to walk with a pet that one might be thinking about adopting.

Mayor Battle stated that the Employees Health Fair would be held on the following Wednesday at the Jaycee Building from 10 a.m. until 2 p.m. He stated that they held this event so that the City might be able to save on health care costs, noting that the City was self-insured on this. He stated that this was an 18 to 20 million dollar bill each year that was

paid by the taxpayers. He continued that if they could do some preventative medicine and get ahead on some of these health issues, they could possibly keep the health care costs down. He urged all City employees to attend this event.

Third Presiding Officer Kling stated that the next item on the agenda was Communications from Council Members.

Councilman Culver stated, concerning property values in North Huntsville, that they had noticed a decline in property values, in terms of the assessments. He stated that he believed Mr. Hamilton had made some inquiries concerning this and asked if he would share this information with them.

Mr. Hamilton stated that Councilman Showers had had a constituent contact him about this matter, and that he had asked him to contact this citizen, and that he had spoken with her, and she was concerned about the tax assessment she had received on her tax bill recently. He stated that he would first like to say that the questions concerning this would be most appropriately answered by the Tax Assessor's office, noting that they handled that process. He stated that he would not attempt to speak for them, but stated that he had been asked to look at this particular situation, and that he had done so. He stated that what he had seen in this was a situation that other citizens were obviously concerned about also, noting that he had seen a story concerning this on one of the news channels, with a citizen who had a similar concern.

Mr. Hamilton stated that he, obviously, had not looked at

every property value throughout the city, but he had seen examples, and not only in Huntsville but in other places in Madison County also, where when the assessments were reset, persons had felt there were steep declines in the value of their property on the tax assessment. He stated that if persons had any concern about their particular assessment, they should talk to the Tax Assessor's office, in order to get answers concerning their specific property. He stated further that the tax assessment did not automatically equal property value if persons were to sell their homes.

Mr. Hamilton stated that in the specific case he had been looking at, they had pulled examples of homes that had been sold within that particular neighborhood within the prior few months and had done a comparison between what the tax assessment was versus what the homes actually sold for. He continued that on some there were some fairly dramatic differences. He stated that if a citizen wanted to sell their home, they should engage with a realtor, and the realtor would assist in setting the asking price for the home, which he noted would not be based on the tax-assessed value. He stated that the Tax Assessor's value was not where a citizen should look for an asking price on their home, that there was a difference there.

Mr. Hamilton stated that in the particular case he had been looking at, when they looked at the value that the Tax Assessor had placed on this property, it was not really out of

line with the neighboring homes, and it was not out of line with the comparable sales prices that had occurred over the prior 12 months in that neighborhood. He stated that there were parts of this city, as well as most likely other cities, where home values had declined, for a variety of reasons. He continued that there were a lot of things that went into the value of a home, including size, how well the neighborhood was maintained, accessibility to retail, the school system, parks, et cetera. He stated that there were all kinds of things that drove the value of a home, so that there was not one single answer that could be provided for the entire city, or even a particular section of the city. He stated that when they were saying "Northwest Huntsville," that that was a pretty large area, and that there were a lot of unique neighborhoods throughout Northwest Huntsville, and they would each be impacted differently by the various factors he had mentioned.

Mr. Hamilton stated that he would encourage citizens to contact the Tax Assessor's office if they had concerns about the particular appraisal of their home, and that their concerns could be addressed.

Mr. Hamilton stated that the next Citizens Academy to be held would specifically look at issues that impacted the value of homes in particular neighborhoods and how the City could influence that, how citizens who lived in the area could influence it, as well as other entities throughout the community. He stated that there was not one, single entity in

any city that fully impacted the value of a particular home or neighborhood.

Mr. Hamilton stated that if persons who had concerns about the situation would attend the upcoming Citizens Academy, they could not only learn about things that affected the value of their homes, but they could also contribute to the dialogue, as far as what they wanted to see happen in their neighborhood and around their neighborhood to bring values back.

Councilman Culver thanked Mr. Hamilton for his response on this matter.

Councilman Olshefski stated that he would like to thank Mr. Cox for his kind words. He stated that Mr. Cox called the good, and he called the bad, and that when the bad was taken care of, he said, "Thank you." He stated that that was all one could ask for.

Councilman Olshefski stated that the prior week he had been having some chest pain and had gone to Huntsville Hospital, and that he had just walked into the Emergency Room, and that they had no clue as to who he was, and that he had been totally impressed with the way it was operated. He stated that he had nothing but praise for Huntsville Hospital and the way they had taken care of him. He stated that his condition was not heart-related and that they were going to do some further testing. He stated that he was aware that everyone made mistakes, that there were issues everywhere, but that he had just wanted to share the good of something, noting that if

it had been bad, he would have called it out.

Councilman Olshefski stated that he had visited Remington earlier in the day, noting that what they were doing there was pretty spectacular, that it was a business that was running very well, and that it was picking up steam. He stated that he was certainly proud to have them as part of the community.

Councilman Olshefski stated that he was not certain how many persons were aware that the current week was Customer Service Appreciation Week, noting that this was not to thank the customers, but to thank the persons who took care of the customers. He stated that he had thought about this earlier in the day, that this was all the City did, was customer service. He stated that it was actually called "constituent service," but that that was what the City did. He thanked the City employees for what they did.

Councilman Olshefski stated that as he was getting ready to go out of office, he was receiving more calls than he had ever received, and that he had been able to actually help these persons, through the Hatfield's, and the Police Department, and the Jim McGuffey's, and all the City employees who took care of business.

Councilman Olshefski stated that he received phone calls, and he tried his best to fix the concerns, and some things he could fix and some things he could not. He stated that he had spent almost two years trying to get a restaurant to be able to have music inside their building, without noise going out of

it. He reiterated that he had spent two years on this, noting that he had felt strongly about it. He stated that he had gotten help on this from Mr. Joffrion and had gotten a City ordinance, et cetera, written up, and now they were able to have music at this facility. He stated that now this same person had asked him to work on something else, and he was going to see Ms. Michelle Jordan about this, as one of his outgoing events.

Councilman Olshefski reiterated that he certainly appreciated the responsiveness of the great team the Mayor had, and that he hoped they would be as responsive to constituents as they were to him.

Third Presiding Officer Kling stated to Councilman Olshefski that he was familiar with the restaurant issue, that the person had contacted him, and that he believed he had a valid argument, and that he believed it would be something he could support if Councilman Olshefski could get it worked out. He stated that he believed the gentleman had already been through the process, and it appeared that all the problems had been addressed.

Third Presiding Officer Kling stated that there were some good things that had been going on in the community in which he had certainly enjoyed participating. He stated that the citywide Community Watch Awards Ceremony had been held on the prior Tuesday evening, and at that meeting it had been announced that Community Watch at this time had 200 chapters in

the city. He stated that this involved tens of thousands of man hours of volunteers from the 200 chapters, working with the Police Department in the work that was being done to help neighborhoods. He stated that there were challenges in some of the neighborhoods, but there had been a lot of good things that had been done. He stated that the participation of the members of the Community Watch chapters were certainly exemplary and to be commended.

Third Presiding Officer Kling stated that he had been able to join the Mayor and the Fire Chief at the ribbon-cutting ceremony for Fire Station No. 6, noting that this was a great facility and would be providing a great service, with good response times. He stated that he felt this would be a good thing to have, especially with the new construction taking place in this area, and that it was certainly a positive for the western part of Drake Avenue.

Third Presiding Officer Kling stated that on the prior Saturday, Triana Village had held their Community Festival, with more than 600 persons participating. He stated that he believed this was a great neighborhood activity and wanted to commend the leadership, including Kimberly Battle, who had worked on this. He stated that he was aware that they had been working very hard on this, and that it had been a great event, with a good turnout.

Third Presiding Officer Kling stated that on the following Saturday, he was looking forward to going out and joining the

persons in the Bailey/Patton Estates neighborhood, noting that they would be having their neighborhood cleanup. He stated that Joy McKee had promised there would be coffee and doughnuts there, and that a lot of good people would be out there, and he was looking forward to working with them and visiting with them.

Third Presiding Officer Kling stated that the next item on the agenda was Unfinished Business Items for Action.

Councilman Culver moved for approval of Ordinance No. 14-725, annexing land lying west of Zierdt Road and on the east side of Arnett Road, which ordinance was introduced at the September 25, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-725)

Said motion was duly seconded by Third Presiding Officer Kling.

Third Presiding Officer Kling asked Ms. Ashley Nichols of the Planning Division for an explanation of the above ordinance.

Ms. Nichols stated that this property was approximately 3.19 acres and was located west of Zierdt Road and on the east side of Arnett Road. She stated that the property was currently vacant land, and that the proposed annexation was for an additional phase of a currently existing subdivision located to the east, the Cambridge Subdivision.

Third Presiding Officer Kling asked if there was any discussion from the Council members concerning this matter.

There was no response.

Third Presiding Officer Kling called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

Councilman Culver moved for approval of Ordinance No. 14-726, amending Article II, Sections 9-36, 9-44, and 9-50 of Chapter 9, Cemeteries, of the Code of Ordinances, which ordinance was introduced at the September 25, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-726)

Said motion was duly seconded by Councilman Olshefski.

Third Presiding Officer Kling asked if there was someone present from the Cemetery office to speak on this item.

Mr. Joffrion stated that he would be speaking on this in Joy McKee's absence. He stated that it had been many, many years since there had been any adjustment in the fees charged through the Cemetery Department, and this ordinance was to bring the fees charged by the City of Huntsville Cemetery Department more in line with the prevailing rates around the Southeast United States. He stated that with these changes, it would still put Huntsville in about the middle of the pack with regard to rates, being not the lowest but not anywhere close to the highest, and at a rate that would pretty much cover the cost of service. He continued that at this time they were losing money by providing services for costs that were less than what the actual costs were.

Third Presiding Officer Kling asked if there were any comments from the Council members concerning this matter.

Councilman Culver asked if he understood correctly that these proposed costs were in line with the costs in other areas.

Mr. Joffrion stated that that was correct, noting that, as he had mentioned, they were about in the middle of the pack with regard to the same types of fees in other jurisdictions in the Southeast.

Third Presiding Officer Kling asked how the fees compared with private cemeteries' fees in the community.

Mr. Joffrion stated that they were less than some and comparable to others.

Third Presiding Officer Kling called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

Third Presiding Officer Kling stated that the next item on the agenda was New Business Items for Introduction.

Third Presiding Officer Kling read and introduced Ordinance No. 14-760, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance.

Third Presiding Officer Kling stated that the next item on the agenda was New Business Items for Consideration or Action.

Third Presiding Officer Kling reiterated that items 15.a and 15.cc had been deleted from the agenda.

Councilman Culver read and introduced a resolution

authorizing the Mayor to enter into a Cost Reimbursement Agreement between the City of Huntsville and the Northeast Alabama Traffic Safety Office, in the amount of \$7,000 for traffic enforcement duties, as follows:

(RESOLUTION NO. 14-761)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced an ordinance amending Budget Ordinance No. 14-465, by changing the authorized personnel strength in various departments, as follows:

(ORDINANCE NO. 14-762)

Councilman Culver moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced an ordinance amending Budget Ordinance No. 14-465 by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 14-763)

Councilman Culver moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute a special employment agreement between the City of Huntsville and Edith Mayes, as follows:

(RESOLUTION NO. 14-764)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into agreements with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 14-765)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Reed Contracting Services, Inc., the low bidder, for Highway 431 Turn Lane Improvements, Project No. 65-14-TI02, as follows:

(RESOLUTION NO. 14-766)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council

members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Alabama Department of Transportation for Cooperative Maintenance of Right-of-Way for the Slotted Drain Pipe along U.S. Highway 72 from Milepost 90.73 to Milepost 90.73, Project No. 65-14-TI04, as follows:

(RESOLUTION NO. 14-767)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute Modification No. 3 to the agreement between the City of Huntsville and 4Site, Incorporated, for Engineering Design Services for Downtown Gateway, Project No. 65-11-RD03, as follows:

(RESOLUTION NO. 14-768)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C., for Engineering Design Services for Dunlop

Boulevard Drainage Improvements, Project No. 65-14-DM30, as follows:

(RESOLUTION NO. 14-769)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Engineering Design Services for Governors West Roadway Improvements, Project No. 65-14-RD12, as follows:

(RESOLUTION NO. 14-770)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Engineering Design Services for Alternate Access to Redstone Arsenal at Resolute Way, Project No. 65-14-RD13, as follows:

(RESOLUTION NO. 14-771)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council

members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C., for Engineering Design Services for Dynetics Park in Cummings Research Park, Project No. 65-14-SP61, as follows:

(RESOLUTION NO. 14-772)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement with Garver, L.L.C., for Engineering Design Services for Force Main Relocation Project, I-565 and County Line Road Interchange Modification, ALDOT Project No. IMD-I065(307) and COH Project No. 65-12-SM01, as follows:

(RESOLUTION NO. 14-773)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Thycon Construction Company, Inc., for

construction services for the new restroom for Public Transit Transfer Station located at 500 Church Street, as follows:

(RESOLUTION NO. 14-774)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final to the agreement between the City of Huntsville and Pearce Construction Company, Inc., for Fire Station No. 6, located at 2810 Drake Avenue, as follows:

(RESOLUTION NO. 14-775)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Clarkston Square L.P. for the use of \$385,000 in HOME funds for the construction of the 56 unit, Clarkston Square Senior Apartments, located on Meadowbrook Drive, Huntsville, Alabama, as follows:

(RESOLUTION NO. 14-776)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the City Attorney to settle the workers' compensation claim of Michael Morrison, as follows:

(RESOLUTION NO. 14-777)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution for the Revocable License Agreement between the City of Huntsville and JJ Huntsville Downtown, LLC, as follows:

(RESOLUTION NO. 14-778)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution concerning the assignment of franchise and the transfer of control of franchisee from Comcast Corporation to Midwest Cable, Inc., as follows:

(RESOLUTION NO. 14-779)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council

members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute a temporary lease agreement between the City of Huntsville and the National Children's Advocacy Center, Inc., for the 5th Annual Rocket City Chili Cook-off, as follows:

(RESOLUTION NO. 14-780)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and CapitalEdge Strategies, LLC., as follows:

(RESOLUTION NO. 14-781)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into a special employee agreement between the City of Huntsville and Phyllis J. Smith, as follows:

(RESOLUTION NO. 14-782)

Councilman Culver moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into a special employee agreement between the City of Huntsville and Joyce Douglass, as follows:

(RESOLUTION NO. 14-783)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute the renewal agreement between the City of Huntsville and Blue Cross Blue Shield of Alabama, for group health insurance administrative services, as follows:

(RESOLUTION NO. 14-784)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and the North Alabama Search Dog Association, to provide resources to assist Huntsville Fire & Rescue in locating missing and lost persons,

as follows:

(RESOLUTION NO. 14-785)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville, dba the Huntsville-Madison County Emergency Management Agency, and the Tennessee Valley Authority, as follows:

(RESOLUTION NO. 14-786)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Clerk-Treasurer to invoke First Commercial Bank Letter of Credit No. 1052 for Grand Lake Subdivision, as follows:

(RESOLUTION NO. 14-787)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution

authorizing the Clerk-Treasurer to invoke BancorpSouth Bank Letter of Credit No. 362000788828 for Legendwood Phase 3 Subdivision, as follows:

(RESOLUTION NO. 14-788)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution of the City Council regarding appointments for the Board of Directors of the Huntsville-Madison County Railroad Authority, as follows:

(RESOLUTION NO. 14-789)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution authorizing the Mayor to execute a Confidentiality and Nondisclosure Agreement between the City of Huntsville and Blue Cross Blue Shield of Alabama and Benefitfocus for the purpose of analyzing claims data and eligibility, as follows:

(RESOLUTION NO. 14-790)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council

members present.

Third Presiding Officer Kling stated that the next item on the agenda was Legal Department Items/Transactions.

Third Presiding Officer Kling stated that item 16.a.1 had been deleted from the agenda.

Councilman Culver read and introduced an ordinance authorizing the vacation of 5-foot Utility and Drainage Easements, Lot 34, Hampton Cove Estates (Heard: 3000 Hampton Cove Way), as follows:

(ORDINANCE NO. 14-791)

Councilman Culver moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements, Tract 34, Inspiration on Green Mountain (Diltina Development Corp.), as follows:

(ORDINANCE NO. 14-792)

Councilman Culver moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution consenting to the vacation of right-of-way along Cecil Ashburn Drive, Legacy at Jones Farm (Legacy at Jones Farm), as

follows:

(RESOLUTION NO. 14-793)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Culver read and introduced an ordinance authorizing the vacation of right-of-way along Cecil Ashburn Drive, Legacy at Jones Farm (Legacy at Jones Farm), as follows:

(ORDINANCE NO. 14-794)

Councilman Culver moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Third Presiding Officer Kling stated that the next item on the agenda was Non-Roster Communications from the Public.

Ms. Jackie Reed again appeared before the Council, stating that she wanted to comment concerning Huntsville Utilities. She stated that when persons received their utility bill, the dates could change within five days each month. She stated that she was in the Huntsville Utilities office recently, and that many persons had the pink slips advising them when their utilities would be cut off. She stated that there was a \$40 fee for the pink slips that were put on persons' doors. She stated to the citizens that they did not want to have this fee added to their utility bill. She stated that several persons

had asked her to bring this matter before the Council. She stated that a lot of persons were not aware that their utility bill was not due on the same date every month, and that she just wanted to notify the public to be aware of when they got their bill, and to do something about it, to perhaps call and extend it, so that persons would not come out and put a pink slip on their door.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating, concerning Huntsville Utilities, that that was an issue, not only because it was \$40 more, but that this \$40 was penalizing persons who otherwise could not even afford it, who were trading food stamps, or whatever. He continued that once the utilities were turned off, the fee went up to \$130 attached to the bill. He reiterated that here they were talking about citizens who were already struggling or the utilities would not be turned off. He stated that he had talked to Huntsville Utilities about this matter, but that he did not know that it was going to change. He stated that this was a charge of \$130 to leave from downtown and go somewhere in the city to reconnect utilities.

Pastor Johnson stated that his question concerning this was if Huntsville Utilities was owned by the City. He asked if this were true, did it mean it was owned by the taxpayers. He stated that if that were true, the persons on the Boards should be able to represent the taxpayers in these issues. He stated that he had learned through his investigation that it cost

approximately \$15 to keep electricity and water just coming to your property, that it did not have to be used at all, but you would pay that amount of money. He stated that if this figure was multiplied times the number of citizens that used this, they should come up with enough money to pay all the costs of the Utilities salaries.

Pastor Johnson stated that if Huntsville Utilities were owned by the City, then the Councilpersons should know what was happening in Utilities. He stated that, however, if this were not correct, anything that he was saying was null and void. He stated that if this was owned by the taxpayers, then they elected the Council and the Mayor to help them control what was happening with the finances coming into that entity. He stated that he wondered if the Council had ever looked at Huntsville Utilities' budget, or had ever audited Huntsville Utilities. He stated that all this was assuming that it was owned by the City, which would mean it was owned by the taxpayers.

Pastor Johnson stated that he also had some comments concerning the tax assessments. He read as follows, "Property values drop when the taxes you pay are not used to reinvest in the community where you live, bottom of the line. When our government gets taxes, it gets it from all neighborhoods."

Pastor Johnson stated that it seemed to him that in this city, they invested the taxes in only some of the neighborhoods.

Pastor Johnson stated that he would like to have his

question answered as to whether Huntsville Utilities was owned by the taxpayers of the city.

Mr. Joffrion stated to Pastor Johnson that Huntsville Utilities was a public utility, and that although it was officially titled in the name of the City of Huntsville, the City Council had very limited authority with regard to Huntsville Utilities. He stated that there were three boards that operated Huntsville Utilities: a Water Board, a Gas Board, and an Electric Board. He stated that these three boards governed the operation of Huntsville Utilities, with three exceptions: approval of rate changes, approval of expenditures in excess of \$25,000, and appointment of Board members. He stated that the City Council appointed all Board members to that entity. He stated that, however, outside of the three issues he had stated, the City Council had no official control over Huntsville Utilities. He stated that they might have some persuasive authority, but no official control.

Third Presiding Officer Kling stated to Pastor Johnson that prior to the Council meeting, he had met with the manager of Huntsville Utilities. He stated that there were some things that Pastor Johnson had raised that could certainly be communicated to Huntsville Utilities, noting that he had good contact with the manager and also with the person in charge of Customer Service, and that he believed they would listen and be concerned and interested in following up on this. He stated

that this would get relayed to them.

Mr. Reggie Hill again appeared before the Council, expressing appreciation for the opportunity to be able to speak, noting that this was not granted that often at the School Board meetings.

Mr. Hill stated that he wanted to thank Councilman Olshefski for his service. He stated that quite some time prior, Councilman Olshefski had spoken with him about collaborating on getting some things done, and stated that he wanted at this time to remind him of that, and to let him know that the information that would be coming to the Council in the upcoming week would be an opportunity, as well, to show some serious collaboration between both sides of the community. He stated that the information would also be sent to Chief Morris, Captain Malone, Mr. Hamilton, and several other members of the Administration. He asked that they take a moment to seriously review this information so that they could give a reason for Mayor Battle to get behind them.

Mr. Hill stated that he believed Mayor Battle had a strong heart for the city, as well as strong intentions to make the city grow and become one of the leading forces in the Southeast. He stated that what he wanted the City to realize was that if they could not do it cohesively, it was not going to move. He stated that regardless of what they might have as their own personal agenda or their own ideas to make things a certain way, that if they could not work collectively as a

group, it was not going to move forward. He continued that it might work temporarily, because one thing that controlled the country was money, so that when persons had the funds to do things, it was that much easier to get it done. He stated that, however, eventually, those things would run out, would be depleted, and that if they had not created a constructive plan that was going to look toward the future of all people, particularly the youngest citizens, it would not work.

Mr. Hill stated that he wanted to urge the persons as they received this documentation to look heavily into it and understand that they must be able to work on a cohesive front.

Third Presiding Officer Kling asked if there was anyone else who wished to speak at this time.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER